

IN THE UNITED STATES DISTRICT COURT
FOR THE NOTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION

United States of America

versus

William Christopher Gibbs

Criminal Action Number
2:17-CR-005-WCO-JCF

**Presliminary Motion to Suppress Evidence Resulting
from Unlawful HIPPA Disclosures**

COMES NOW William Christopher Gibbs, by and through his undersigned counsel, and hereby submits this preliminary motion to suppress evidence unlawfully disclosed pursuant to HIPPA. In support of this motion, we show the Court the following:

Mr. Gibbs went to the emergency room on February 3, 2017 seeking medical attention. As a result of his having sought medical attention, the authorities were notified of the possibility of criminal acts on the part of Mr. Gibbs. Mr. Gibbs did not authorize any such disclosures.

AUTHORITY

The Fourth Amendment guarantees "[t]he right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures." Fourth Amendment jurisprudence is primarily based upon a citizen's reasonable expectation of privacy. See *Katz v. United States*, 389 U.S. 347, 351 (1967). At this

time, we are simply seeking discovery of what items were provided by medical professionals and further which exception to HIPPA's nondisclosure requirements were implicated. After receiving this information, we will wish to further perfect the motion to suppress.

CONCLUSION

WHEREFORE, for the reasons outlined above, we pray that the Court will direct the Government to provide information about what was specifically provided to them that would constitute medical protected information.

Respectfully submitted this 24th day of April, 2017.

N. Natasha Perdew Silas

Natasha Perdew Silas
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CERTIFICATE OF ELECTRONIC FILING

This is to certify that I have this day electronically filed the foregoing pleading on the ECF system. I expect that the system will perfect service upon the Government in the person of Ryan Buchanan, Esquire.

This 24th day of April, 2017.

N. Natasha Perdue Silas